

Dennis L. Smith  
P.O. Box 311  
Selbyville, Delaware 19975

June 10, 2008

FILE COPY

Office of the Clerk  
**Ms. Marcia M. Waldron**  
**\*\* Ms. Chiquita Dyer**  
United States Court of Appeals  
for the Third Circuit  
21400 United States Court House  
601 Market Street  
Philadelphia, PA 19106 – 1790  
**Express Mail No. EQ 800925935 US**

Civil case No. **07 - 3999**

Re: Mr. Dennis L. Smith vs. Ms. Patricia A. Meyers Civil Case No.: 07 – 3999.  
This letter is concerning another one of Mr. Smith's " **Notice of Substantive Motion for Stay** " COPIES ENCLOSED as EVIDENCE , because the U.S. District Court's Judge Joseph J. Farnan Jr., continue with his civil case No. 07 – 525 – JJF, WITHOUT JURISDICTION after the fact, I ( Petitioner ) PAID and **Appeal** this case to the United States Court of Appeals **03<sup>rd</sup>** Judicial Circuit. ( We must not forget **42 U.S.C.A § 1981(a).** ) ----- my **April 4, 2008 letter.**

Dear Clerk Ms. Waldron and Ms. Dyer.:

This " **Notice of Substantive Motion for Stay** " was filed with the U.S. District Court on June 11, 2008 to stop Judge Joseph J. Farnan Jr's **illegal Ruling**, *-dated May 14, 2008 (D.I. 22)*

**Therefore, I am sending a enclosed copy of this same " Notice of Substantive Motion for Stay " as EVIDENCE and for the Court of Appeals' record.** ( Copies of this letter to the U.S. District Court will be STAMPED copy, for their record. )

Also, I have ENCLOSED, a copy of my **April 4, 2008** letter with **Certified No. 7007 0220 0001 0621 8181**, as an **Exhibit** and as agreed with Ms. Chiquita Dyer and Ms. Dodszuweit of this United States Court of Appeals concerning Civil case No. **07 – 3999**. The Original and Three copies are lost by this Court, **why ?** **Also**, when you find the Original and its Three copies please write me, as to what happen.

See my **Certified Return Receipt No. 7007 0220 0001 0621 8181**, attached as ----- **Exhibit AA**  
See my attached **April 4, 2008**, letter No. 7007 0220 0001 0621 8181, ----- **Exhibit BB**

For the record, I no long request and/or want my " **Appeal** " change to an " Interlocutory Appeal " as indicated on Court of Appeals' docket **07 – 3999**, concerning the date " **01/11/2008.** " *Also, I will keep my October 9 2007 Paid Appeal - DJ*

Again, this is UNBELIEVABLE , that the **Original and Three** copies of my **April 4, 2008** letter are **lost in this High Court of the United States** but again, I have enclosed a copy of the same April 4, 2008 letter to this Court, and on the **face** of this letters it states as follows below:

Continue on page # 2

**Ms. Marcia M. Waldron**

**\*\* Ms. Chiquita Dyer**

June 10, 2008

Page # 2

First of all, this **April 4, 2008** letter clearly REFERENCE the fact that, "... Judge Joseph J. Farnan Jr., continue with his civil case No. 07 – 525 – JJF, WITHOUT JURISDICTION after the fact, I ( Petitioner ) PAID and Appeal this case to the United States Court of Appeals **03<sup>rd</sup>** Judicial Circuit."

Furthermore, on the face of this letter it states:

" Judge Joseph J. Farnan Jr filed his ( **D.I. 4** ) Memorandum Order on **September 11, 2007**, which is also dated same. Therefore, base on the CONCLUSION of this "**FINAL ORDER**" and the fact that Judge Farnan Jr clearly stated and I quote, " The Court does not have JURISDICTION over his claims. Notably, Plaintiff's claimS are oneS where state law, not federal law, predominates." " Therefore, on **October 9, 2007**, I Appealed this civil case No. 07-525 – JJF FROM the U.S. District Court, TO the United States Court of Appeals **03<sup>rd</sup>** Judicial Circuit."

My **Certified receipt No. 7007 0220 0001 0621 8181**, affirms that the United States Court of Appeals received my **April 4, 2008, letter on 4 / 9 / 08** and this Court's agent **Ms. Chiquita Dyer's** letter is dated **May 13, 2008**, approximately one month after my **April 4, 2008** letter, my letter contains the two paragraphs just mentioned above. Therefore, can we all truly believe **beyond a reasonable doubt** that Federal agent Ms. Dyer would have written her **May 13, 2008**, letter if this Court did not lose my **April 4, 2008**, letter concerning the "**APPEAL**" issue ?

**Clearly at this point, this case needs a criminal investigation**, the fact is the deceit and/or mistakes does not stop, **deceit is unconstitutional and I am Pro se**.

I have a Certified Return Receipt numbered 7007 0220 0001 0621 8181, of my April 4, 2008 letter, which contains a signed and printed agent's name from the Court of Appeals ( **07 – 3999**). Therefore this receipt is proof that I sent the Original and Three copies to the Court of Appeals, but, somehow all of these document are affirmed missing by the Court. Can we all truly believe **beyond a reasonable doubt** that my April 4, 2008, got lost and not a part of a cover – up to help Judge Farnan Jr, concerning the "**Appeal**" issue ?

This "**lost**" of my April 4, 2008 letter, allowed the Court of Appeals agent **Ms. Chiquita Dyer** to write a letter date **May 13, 2008** attempting to construed my " Notice of Substantive Motion for STAY " as an "**APPEAL**" this new appeal attempt / civil case number attempt would cover – up all of Judge Farnan Jr's deceit starting from my initial a "**APPEAL**" on **October 9, 2007**.

Court of Appeals agent **Ms. Chiquita Dyer** clearly indicates at the bottom of her May 13, 2008 letter that I ( Dennis L. Smith) was sent a copy of this letter, but the fact is, as of this day and/or to date, I never received a copy. Therefore, can we all truly believe **beyond a reasonable doubt** that this is **some type of error also** and not a violation of Federalized Code **42 U.S.C.A. § 1981(a)** ? See attached copy of this May 13, 2008 letter ----- **Exhibit CC**

Continue on page # 3

**Ms. Marcia M. Waldron**

**\*\* Ms. Chiquita Dyer**

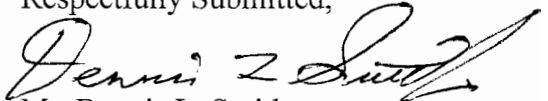
June 10, 2008

Page # 3

Court of Appeals agent **Ms. Chiquita Dyer** sent her letter dated **May 13, 2008** to the U.S. District Court, therefore Judge Farnan Jr., stated in his illegal May 14, 2008 ( D. I. 22 ) Ruling and I quote, “ The Court has also received notice from the **Third Circuit** ( D. I. 21 ) that the Motion is to be **treated as a Notice of Appeal**, in addition to a request for a stay.” Clearly this is what Judge Farnan Jr., was hoping for and need to cover – up my **October 9, 2007 Appeal**, this October 9, 2007 Appeal 07 – 3999, will expose the truth about Judge Farnan Jr’s deceit and/or twisting the truth. **This is a shame, I am Pro se.**

**Note:** For **Ms. Patricia A. Meyers**, please give Mr. Steven S. Krebs a copy of this document and/or these documents **if you will**, because Mr. Krebs willfully refuses my documents and it is affirmed on my Certified Return receipt as he written thereon. If, Mr. Krebs is not up to date with civil case No. 07 – 3999 it is between you and him. **I tried my best to keep him informed** and have evidence for proof.

Respectfully Submitted,

  
Mr. Dennis L. Smith

Cc: See Attached “ **Certificate of Service** ”

C.A. No. 07 - 3999

Re; Equal - Right(s);

In ref: Vindication of civil Right(s)

Here – under; 42 U.S.C.A § 1988.

This is not a lawsuit. The sole purpose of this is to simply constitutionally enforce 42 U.S.C.A. § 1981(b). under the Law.

June 11 2008  
Date

**CERTIFICATE OF SERVICE**

I hereby certify that the original and three copies my **Letter dated June 10, 2008**, **Express Mail No. EQ 800925935 US**, have been certified mailed or hand delivered on this 11 day of June 2008, to the United States Court of Appeals, Thrid Circuit and to Appellee(s) at the following addresses below:

The Third Judicial – Circuit of Federal – Appeal(s)  
Ms. Marcia M. Waldron  
21400 United States “ Court – House”  
601 Market Street  
Philadelphia, PA 19106 – 1790  
**Express Mail No. EQ 800925935 US**

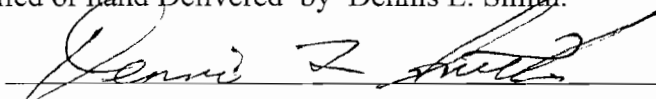
Mr. Peter T. Dalleo  
Office of the Clerk  
United States District Court  
844 N. King Street, Lockbox 18  
Wilmington, Deaware 19801 - 3570  
**Certified Mail No. 7007 0220 0001 0621 8679**

Ms. Patricia A. Meyers, and her Son,  
Mr. Mack L. Davis Jr., and  
all of her sibling(s)  
RR 4 Box 103A  
Frankford, Delaware 19945  
**Certified Mail No. 7007 0220 0001 0621 8686**

Mr. Steven S. Krebs and  
his Mother Ms. Barbara Krebs  
P.O. Box 796  
Selbyville, Delaware 19975  
**Certified Mail No. 7007 0220 0001 0621 8693**

For Verification purpose(s) only;  
John Brady  
Recorder of Deeds  
2 The Circle  
P. O. Box 827  
Georgetown, Delaware 19947  
**Certified Mail No. 7007 0220 0001 0621 8709**

All mentioned above, certified mailed or hand Delivered by Dennis L. Smith.



Dennis L. Smith



Exhibit AA

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

The Third Judicial Circuit  
of Federal - Appeals  
Ms Marcia M. Waldron  
21400 United States "Court  
House"  
601 Market Street  
Philadelphia, PA 19106-1790

2. Article Number (Copy from service label)

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly)

B. Date of Delivery

C. Signature

X Keith Lombardo

☐ Agent☐ Addressee

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail ☐ Express Mail☐ Registered ☐ Return Receipt for Merchandise☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

7007 0220 0001 0621 8181

Dennis L. Smith  
P.O. Box 311  
Selbyville, Delaware 19975

*Exhibit BB*

April 4, 2008

Office of the Clerk  
**Ms. Marcia M. Waldron**  
United States Court of Appeals  
for the Third Circuit  
21400 United States Court House  
601 Market Street  
Philadelphia, PA 19106 – 1790  
**Certified -7007 0220 0001 0621 8181**

Civil case No. **07 - 3999**

Re: Mr. Dennis L. Smith vs. Ms. Patricia A. Meyers Civil Case No.: 07 – 3999.  
This letter is concerning Mr. Smith's " **Notice of Substantive Motion for Stay** " **COPIES ENCLOSED as EVIDENCE** , because the U.S. District Court's Judge Joseph J. Farnan Jr., continue with his civil case No. 07 – 525 – JJF, **WITHOUT JURISDICTION** after fact, I ( Petitioner ) **PAID** and **Appeal** this case to the United States Court of Appeals **03<sup>rd</sup>** Judicial Circuit. ( We **must** not forget **42 U.S.C.A § 1981(a).** )

Dear Clerk Ms. Waldron.:

This " **Notice of Substantive Motion for Stay** " was filed with the U.S. District Court on April 3, 2008, to stop Judge Joseph J. Farnan Jr's **illegal Ruling**, which is **before April 1, 2008**.

**Therefore, I am sending three (3) enclosed copies of this same " Notice of Substantive Motion for Stay " as EVIDENCE and for the record.** ( Copies to the U.S. District Court will be **STAMPED** copy, for their record. )

{1}. First of all, concerning civil case No. 07- 525 – JJF; Judge Joseph J. Farnan Jr filed his ( **D.I. 4** ) Memorandum Order on **September 11, 2007**, which is also dated same. Therefore, base on the CONCLUSION of this " **FINAL ORDER** " and the fact that Judge Farnan Jr clearly stated and I quote, " The Court **does not** have **JURISDICTION** over his **claims**. Notably, Plaintiff's **claimS** are **oneS** where state law, **not federal law**, predominates." See this Order's page **No. 6**, attached as ----- **Exhibit A**

Therefore, on October 9, 2007, I **Appealed** this civil case No. 07- 525 – JJF **FROM the** U.S. District Court, **TO the** United States Court of Appeals **03<sup>rd</sup>** Judicial Circuit. This Court gave me a civil case No. 07 – 3999. This Court's last response to date, is concerning their letter dated **December 20, 2007**, which also, stated and I quote, " **Upon further review**, it appears that it would not be appropriate to submit this **appeal** to the Court for possible jurisdictional dismissal **as you were originally advised** by our letter of **October 18, 2007**. **Rather**, it appears that your **appeal** may be appropriate for possible **summary action**." Also, this same December 20, 2007, letter stated and I quote, " Issuance of the **briefing schedule** will be **stayed pending action** by

Clerk Ms. Waldron  
 April 4, 2008  
 Page # 2

**the Court.** All parties are hereby advised that this letter does not represent a finding of appellate jurisdiction in this case. As in all cases, the panel of this Court which reviews the case on its merits will make a **final determination of appellate jurisdiction.** This December 20, 2007 letter is attached as ----- **Exhibit B**

**{2}.** On January 11, 2008, my dated January 10, 2008 “**Interlocutory Appeal Status (VIA) 28 U.S.C.A § 2106 EMERGENCY Motion of Modify**” was filed on record, with this Court of Appeals **03<sup>rd</sup> Judicial Circuit.**

On **March 31, 2008**, by docket No. 07 – 3999 and on or about **April 1, 2008**, by the **Legal – Division**, it was affirmed that this Court of Appeals **03<sup>rd</sup> Judicial Circuit** have **NOT** Ruled on the **JURISDICTION** issue as mentioned above concerning their letter dated December 20, 2007, **and** have **NOT** Ruled on my “**Interlocutory Appeal Status (VIA) 28 U.S.C.A § 2106 EMERGENCY Motion of Modify**”, which is also as mentioned above.

Therefore, only the United States Court of Appeals **03<sup>rd</sup> Judicial Circuit** has **JURISDICTION** concerning my civil case No. 07 – 3999 **UNTIL** this Court “...make a final determination of appellate jurisdiction” but, **has not** as of **April 1, 2008.**

**{3}.** Furthermore, the United States Court of Appeals **03<sup>rd</sup> Judicial Circuit**, on 01 / 11 / 2008 **FILED** my “**Interlocutory Appeal Status (VIA) 28 U.S.C.A § 2106 EMERGENCY Motion to Modify**” which enclosed my **Certificate of Service** dated 1 / 10 / 08. This Court’s docket clearly indicates the same and I quote, “... **Certificate of Service dated 1 / 10 / 08.**” This **Certificate of Service** affirms that this Motion was **addressed to:** and I quote, “I hereby **certify** that the **ORIGINAL** and **THREE** copies of my **Interlocutory Appeal Status (VIA) 28 U.S.C.A § 2106 EMERGENCY Motion to Modify** dated January 10, 2008 have been certified mailed or hand delivered on this 10 day of January 2008, **to the United States Court of Appeals,...**” Other addresses on this **Certificate** as indicated, is **only** for **COURTESY COPIES / NOTICE** issues, and the **U.S. District Court** was **also ONE.**

The United States District Court’s letter dated **January 11, 2008**, also affirms that **JURISDICTION** belongs to United States Court of Appeals and I quote, “Enclosed please find a copy of **Appellant’s** “**Interlocutory Appeal Status (VIA) 28 U.S.C.A sec 2106 Emergency Motion to Modify**” which was **erroneously** filed with the District Court on January 11, 2008.” For the record, this “**Interlocutory Appeal**” was filed as indicated in the paragraph just mentioned above, which **proves the TRUTH.** This January 11, 2008 letter is attached as ----- **Exhibit C**

My **Certified RETURN receipt No. 7099 3400 0006 3815 8845** and dated **January 11, 2008**, is proof concerning the date that the U.S. District Court also receive my “**Interlocutory Appeal**” (**D.I. 12**). **Certified RETURN receipt**, attached as ----- **Exhibit D**

Continue on page 3



Clerk Ms. Waldron  
 April 4, 2008  
 Page # 3

See, the **United States District Court's** docket 07 – 525 - JJF and its ( **D.I. 12** ), filed on **January 11, 2008** concerning my “ Interlocutory Appeal Status (VIA) 28 U.S.C.A sec 2106 Emergency Motion to Modify ”, which is attached as ----- **Exhibit E**

### --- SUMMARY - CONCLUSION ---

“ UPON FURTHER REVIEW ” and RESEARCH therefore, I now understand the TRUTH as follows: **The United States Court of Appeals** 03<sup>rd</sup> Judicial Circuit's letter dated **December 20, 2007**, clearly states and I again quote, “ Upon further review, it appears that it would not be appropriate to submit this appeal to the Court for possible jurisdictional dismissal as you were originally advised by our letter of October 18, 2007. Rather, it appears that your appeal may be appropriate for **POSSIBLE summary action.**” Also, my “ Interlocutory Appeal Status ( VIA) 28 U.S.C.A § 2106 EMERGENCY Motion to Modify ” **REQUEST**, which was filed on 1 / 11 / 2008, BOTH of these issues are still PENDING.

Therefore, civil case No. 07 – 525 is part of my Interlocutory Appeal **REQUEST** under the **JURISDICTION** of this Court of Appeals' civil case No. 07 – 3999, **BECAUSE** this Court of Appeals have not made “... a FINAL determination of appellate JURISDICTION and/or RULING as of **April 1, 2008**, which is affirmed.

**VS.**

**WITHOUT JURISDICTION “ DETERMINATED ” and/or RULING from the United States Court of Appeals**

Judge Joseph J. Farnan Jr continued without **Jurisdiction** and violated Federalized Code 28 U.S.C.A. § 144., in which – which is **clearly United States Law(s)**.

Judge Joseph J. Farnan Jr's illegal Memorandum Order is in violation of Federalized Code 28 U.S.C.A. § 144., this same Order is deceitful therein and backdated to indicate a false date of **March 5, 2007**, which will appear on Court record, as if Judge Farnan Jr. did not violate Federalized Code 28 U.S.C.A. § 144. In the footnotes of **this illegal Order** Judge Farnan Jr's states and I quote, “ Plaintiff contends that both of his filings ( **D.I. 15, 16** ) are meant to be part of his Interlocutory Appeal, USCA 07 – 3999, even though they were filed in this Court. Plaintiff, of course, retains the option of filing his papers with the Court of Appeals for the Third Circuit if he wishes to present them in the forum.” ( **Keep in mind**, this Interlocutory Appeal **REQUEST** have NOT been **GRANTED** as of **April 1, 2008.** )

Continue on page ~~4~~ *DL*

Clerk Ms. Waldron  
 April 4, 2008  
 Page # 4 DL

**NOTE:** Again, my Interlocutory Appeal REQUEST under the JURISDICTION of this Court of Appeals' civil case No. 07 – 3999 is still PENDING as of April 1, 2008.

Judge Joseph J. Farnan Jr **illegally** and **deceitfully** claimed JURISDICTION to **illegally** keep civil case No 07 – 525 – JJF OPEN which **illegally** helped Respondent(s). Also Judge Farnan Jr violated Federalized Code(s) as indicated below and --- **THIS IS THE POINT, WHICH I WAS INITIALLY DECEIVED, BELOW:**

1. Without Jurisdiction – JJF, Ordered me to answer his “ Show Cause Order ” dated **January 22, 2008** concerning Rule “ 4(m)”, and gave me a deadline to answer by **February 15, 2008**. { Based on this deceitful bold act, therefore, I believed this **DESIGNED FALSE DELUSION**, that my Interlocutory Appeal was GRANTED, which I later found **NOT TRUE**. }

“ Upon further Review ”, of U.S. District Court's docket 07 – 525 –JJF (D.I.12) , I founded that I needed to CORRECT page four (4) of my “ Notice of Substantive Motion for Stay. ” Also, if any other pages were founded with same ERRORS, therefore please understand them to be corrected in accordance with this corrected page four (4). This corrected page four (4), attached as ----- **Exhibit F**

2. On **February 15, 2008**, I responded to this “ Show Cause Order ” as pointed out, in my **Sufficient Affidavit (D.I. 15 )** and its Clarification ( **D.I. 16** ), but first of all, in these documents, I pointed out Federalized Code **28 U.S.C.A § 144**. and I quote, “ Requesting that Judge Joseph J. Farnan Jr to **Proceed No Further / 28 U.S.C.A § 144., in this** case... ,” of which clearly MANIFESTED WORDING, which he twisted and violated.
3. Without Jurisdiction – JJF, made an illegal RULING in his illegal Memorandum Order ( **D.I. 17** ) which is backdated to falsely indicate **March 5, 2007**, for public record. This illegal Ruling was truly done on **March 5, 2008**, without JURISDICTION “ DETERMINATED ” and/or RULING from the United States Court of Appeals as just mentioned above under this quote, “ **WITHOUT JURISDICTION DETERMINATED ”** and/or RULING from the United States Court of Appeals.” --- ( Again, Keep in mind, this Interlocutory Appeal REQUEST have NOT been GRANTED as of April 1, 2008. )

Clerk Ms. Waldron  
April 4, 2008  
Page # *5* *el*

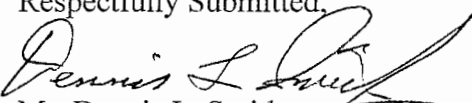
## Summary -Conclusion

I only want Federalized Code **42 U.S.C.A § 1981(b)**., Federally enforced concerning unrealistic malfeasance – like, act(s); of Ms. Patricia A. Meyers and my mutual July 12, 2006 agreement which contain in writing our mutual October 27, 2003 agreed Power of Attorney to complete my AGREED Obligations under the Law as Federalized Code **42 U.S.C.A § 1981(a)**., also allows Equal Justice regardless of **Race / Color**.

Also, please see; my “**Substantive Motion for STAY**” in which legally demonstrate(s) the intentional ungodliness of Ms. Patricia A. Meyers’ unlawful fictitious absurd, superficial **PURPORTED** , SALE of the “**2.5 – / + acres parcel B**”; that I have still legal – still continuing, lawful viable mutually – mandated OBLIGATION(S) to fulfill as legally written, see; Ms. Patricia A. Meyers and my July 12, 2006 mutual agreement, which contains in writing our mutual agreed Power of Attorney. This July 12, 2006 mutual agreement must be enforce under Federalized Code **42 U.S.C.A § 1981(b)**., to complete my OBLIGATION(S) the same as Federalized Code **42 U.S.C.A § 1981(a)**., also allows, as a matter of Law.

**BASED**, “**Upon further review**” from the United States Court of Appeals **03<sup>rd</sup> Judicial Circuit** , concerning civil case No. **07 – 3999**, therefore, in this Court’s **December 20, 2007** letter it was made very clear that, my ( Appellant’s ) “... Appeal may be appropriate for possible **SUMMARY ACTION**.” This fact, also **AFFIRMED** on **April 1, 2008**.

Respectfully Submitted,

  
Mr. Dennis L. Smith

Cc: See Attached “**Certificate of Service**”

Date April 8, 2008

**CERTIFICATE OF SERVICE**

I hereby certify that the original and three copies my **Letter dated April 4, 2008**, **Certified -7007 0220 0001 0621 8181**, have been certified mailed or hand delivered on this 8 day of April 2008, to the United States Court of Appeals, Thrid Circuit and to Appellee(s) at the following addresses below:

The Third Judicial – Circuit of Federal – Appeal(s)  
Ms. Marcia M. Waldron  
21400 United States “Court – House”  
601 Market Street  
Philadelphia, PA 19106 – 1790  
**Certified Mail No. 7007 0220 0001 0621 8181**

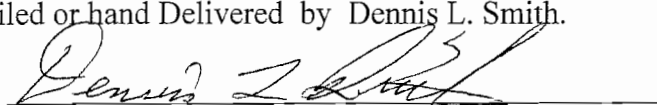
Mr. Peter T. Dalleo  
Office of the Clerk  
United States District Court  
844 N. King Street, Lockbox 18  
Wilmington, Deaware 19801 - 3570  
**Certified Mail No. 7007 0220 0001 0621 8273**

Ms. Patricia A. Meyers, and her Son,  
Mr. Mack L. Davis Jr., and  
all of her sibling(s)  
RR 4 Box 103A  
Frankford, Delaware 19945  
**Certified Mail No. 7007 0220 0001 0621 8266**

Mr. Steven S. Krebs and  
his Mother Ms. Barbara Krebs  
P.O. Box 796  
Selbyville, Delaware 19975  
**Certified Mail No. 7007 0220 0001 0621 8259**

For Verification purpose(s) only;  
John Brady  
Recorder of Deeds  
2 The Circle  
P. O. Box 827  
Georgetown, Delaware 19947  
**Certified Mail No. 7007 0220 0001 0621 8198**

All mentioned above, certified mailed or hand Delivered by Dennis L. Smith.

A handwritten signature in black ink, appearing to read "Dennis L. Smith", is written over a horizontal line.

Dennis L. Smith



*Exhibit A*

#### IV. Discussion

The Court has reviewed the exhibits Plaintiff his Motion. After reviewing the same and carefully reviewing his Motion, it is clear that Plaintiff's real issues concern real property to which he believes he is entitled, and P. Meyers's decision to revoke the Power Of Attorney she gave to Plaintiff.

The Court does not have jurisdiction over his claims. Notably, Plaintiff's claims are ones where state law, not federal law, predominates. Hence, the matters should be decided by the State Court. Moreover, Plaintiff makes vague allegations of, and seeks to prevent, the following: slander, defamation, false outbursts, false statements, issuance of outrageous and absurd documents by P. Meyers, false arrests, the sale or lease of the property at issue, S. Krebs from speaking to Plaintiff, and hateful acts, conspiracy or frame-up by S. Krebs and Defendant Barbara Krebs. Again, most of the foregoing concern State law issues and are better decided by the State Court.

In a failing attempt to state a claim under § 1981, Plaintiff makes a passing reference to race discrimination by referring to himself as a black man who helped a white female win a court case. Nothing indicates, however, that there was an intent to discriminate against Plaintiff on the basis of his race. Plaintiff also refers to the § 1985 conspiracy statute, but other than seeking to restrain Defendants from conspiring

OFFICE OF THE CLERK - LEGAL DIVISION  
*UNITED STATES COURT OF APPEALS*

*Exhibit B*

21400 UNITED STATES COURTHOUSE  
601 MARKET STREET  
PHILADELPHIA 19106-1790

MARCIA M. WALDRON

December 20, 2007

CLERK

Telephone  
(215-597-2378)

Mr. Dennis Lee Smith  
P.O. Box 311  
Selbyville, DE 19975

Re: **Smith v. Meyers**  
C.A. No. 07-3999  
(D. Del. Civ. No. 07-cv-00525)

Dear Mr. Smith:

Upon further review, it appears that it would not be appropriate to submit this appeal to the Court for possible jurisdictional dismissal as you were originally advised by our letter of October 18, 2007. Rather, it appears that your appeal may be appropriate for possible summary action. Chapter 10.6 provides that the Court sua sponte (by its own action) may take summary action on an appeal if it appears that no substantial question is presented or that subsequent precedent or a change in circumstances warrants such action. Specifically, the Court may affirm, reverse, vacate, modify, or remand the judgment or order appealed.

The parties may submit written argument in support of or in opposition to such action. Any response must be received in the Clerk's Office within twenty-one (21) days from the date of this letter. Please submit to the Clerk an original and three (3) copies of any response, and a certificate of service indicating that all parties have been served with a copy of the response. All parties will be advised of any Order(s) issued in this matter.

Issuance of the briefing schedule will be stayed pending action by the Court. All parties are hereby advised that this letter does not represent a finding of appellate jurisdiction in this case. As in all cases, the panel of this Court which reviews the case on its merits will make a final determination of appellate jurisdiction.

Very truly yours,

/s/ Laura L. Greene  
LAURA L. GREENE  
Staff Attorney

(Continued)



Exhibit D

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to: Mr. Peter T. Dallego  
 Office of the Clerk  
 United State District Court  
 44 N. King Street, lockbox 18  
 Wilmington, Del. 19801-3570

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) \_\_\_\_\_ B. Date of Delivery \_\_\_\_\_

C. Signature \_\_\_\_\_ ☐ Agent  
☒ Addressee

D. Is delivery address different from item 1? ☐ Yes  
 If YES, enter delivery address below: ☐ No



3. Service Type  
☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Copy from service label)

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PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

CM/ECF LIVE - U.S. District Court:ded

Page 2 of 3

Exhibit E

08/30/2007	<u>3</u>	Notice of Availability of a U.S. Magistrate Judge to Exer (els) (Entered: 08/30/2007)
08/30/2007		No Summons Issued (els) (Entered: 08/30/2007)
09/05/2007		Case assigned to Judge Joseph J. Farnan, Jr. Please inclu the Judge (JJF) after the case number on all documents fil (Entered: 09/05/2007)
09/11/2007	<u>4</u>	MEMORANDUM ORDER DENYING D.I. <u>2</u> MOTION for Temporary Restraining Order (See Order for Details). Signed by Judge Joseph J. Farnan, Jr. on 9/11/2007. (lec) (Entered: 09/12/2007)
10/09/2007	<u>5</u>	NOTICE OF APPEAL of <u>4</u> Memorandum Order. Appeal filed by Dennis Lee Smith. Filing fee \$ 455. Fee Paid. Receipt No.: 149129. TPO issued. (rwc) (Entered: 10/10/2007)
10/09/2007	<u>6</u>	MOTION to Stay - filed by Dennis Lee Smith. (rwc) Additional attachment(s) added on 10/11/2007 (rwc, ). (Entered: 10/10/2007)
10/11/2007	<u>7</u>	MULTI MEDIA DOCUMENT filed by Dennis Lee Smith in the form of a audiocassette. Filing related to <u>6</u> MOTION to Stay. (Media on file in Clerk's Office). (rwc) (Entered: 10/11/2007)
10/16/2007	<u>8</u>	NOTICE of Docketing Record on Appeal from USCA for the Third Circuit re <u>5</u> Notice of Appeal filed by Dennis Lee Smith. USCA Case Number 07-3999. USCA Case Manager: Tonya Wyche (DOCUMENT IS RESTRICTED AND CAN ONLY BE VIEWED BY COURT STAFF) (tw, ) (Entered: 10/16/2007)
10/16/2007	<u>9</u>	AMENDMENT/CORRECTION to DOCUMENT - filed by Dennis Lee Smith. (Correction to Page 2 and Page 10 re: <u>6</u> MOTION to Stay ). (rwc) (Entered: 10/17/2007)
11/06/2007	<u>10</u>	Letter to Clerk, USCA 3rd Circuit from Dennis L. Smith dated 11/2/07 in further support of appeal - re <u>5</u> Notice of Appeal. (rwc) (Entered: 11/06/2007)
11/06/2007	<u>11</u>	SECOND AMENDMENT/CORRECTION to DOCUMENT - filed by Dennis Lee Smith. (Correction to Page 2) re: Motion <u>6</u> to Stay (Entered: 11/07/2007)
01/11/2008	<u>12</u>	Letter to Clerk, USCA 3rd Circuit from Deputy Clerk, dated 1/11/08 regarding forwarding of Dennis Smith's "Interlocutory Appeal Status (VIA) 28 U.S.C.A. sec. 2106 Emergency Motion to Modify" to USCA. (rwc) (Entered: 01/11/2008)
01/14/2008	<u>13</u>	Letter to Clerk, USCA 3rd Circuit, from Dennis L. Smith dated 1/10/08 regarding Emergency Motion to Change Appeal. (rwc) (Entered: 01/15/2008)
01/22/2008	<u>14</u>	ORDER TO SHOW CAUSE why this case should not be dismissed for failure to serve process. Show Cause Response due by 2/15/2008. Signed by Judge Joseph J. Farnan, Jr. on 1/22/08. (dab) (Entered: 01/22/2008)



*Exhibit F*

On March 5, 2008, concerning civil case No. 07 – 525 – JJF docket, which confirms, that this civil case is **DISMISSED** and “**CASE CLOSED**” also, which was **only** after Judge Farnan Jr **first** have done the following, TRICK / DECEIT to me, as follows below.

See this docket, attached as ----- **Exhibit D**

--- CORRECTED SECTION BELOW ---

Therefore, based on Judge Joseph J. Farnan Jr’s “**Show Cause Order**” ( **D.I. 14** ) dated **January 22, 2008**, I believed that my “**Interlocutory Appeal**” was GRANTED, giving Judge Farnan Jr. **JURISDICTION** by the Court of Appeals **03<sup>rd</sup> Judicial Circuit**, so that Judge Farnan Jr. may Order me to answer his Show Cause Order. **Based** on this belief, **therefore I answered this Show Cause Order as** pointed out below in this Motion, **BUT** later I found that I was **tricked / deceived**, because Judge Joseph J. Farnan Jr **did not** have **JURISDICTION** for his **ILLEGAL** / **UNFAIR** “**Show Cause Order**” on January 22, 2008, and also Judge Joseph J. Farnan Jr **did not** have **JURISDICTION** for his illegal and backdated Memorandum Order, which is **falsely** dated March 5, 2007.

See U.S. District Court’s docket, attached as ----- **Exhibit E**

Also, see U.S. District Court JJF’s illegal “**Show Cause Order**” ----- **Exhibit F**

Furthermore, concerning the trick / deceit of Judge Farnan Jr. wrongfully applying **RULE 4(m)** to my, and only to my initial **AFFIDAVIT / Motion** dated **August 30, 2007**, which **also lead to my responses, including** my response to Judge Farnan Jr’s **Show Cause Order** as just mentioned. **Therefore, Please Take Notice, of my RESPONSES** in the following **Statement of Facts # 1, # 2 and # 3** listed below:

**STATEMENT OF FACTS - # 1**

OFFICE OF THE CLERK

MARCIA M. WALDRON  
CLERK

## UNITED STATES COURT OF APPEALS

TELEPHONE

FOR THE THIRD CIRCUIT

215-597-2995

21400 UNITED STATES COURTHOUSE

601 MARKET STREET

PHILADELPHIA 19106-1790

May 13, 2008

Peter T. Dalleo, Clerk  
United States District Court  
J. Caleb Boggs Federal Building  
Lockbox 18  
844 King Street  
Wilmington, DE 19801-3570

*Exhibit CC*

Re: Smith v. Meyers  
D. Del. No. 07-cv-00525

Dear Mr. Dalleo:

Pursuant to Rule 4(d), Federal Rules of Appellate Procedure, and Rule 3.4, Third Circuit Local Appellate Rules, we are forwarding the attached notice, entitled "Notice of Substantive Motion for Stay", to be treated as a notice of appeal. As it appears that the document demonstrates Mr. Smith's intention to challenge the final Order of the District Court entered on March 5, 2008, in addition to being treated as a stay motion in the District Court, the document will also be treated as a notice of appeal. See Rule 3.4, Third Circuit Local Appellate Rules. **The notice should be docketed as of April 3, 2008.**

This document is being forwarded solely to protect the litigant's right to appeal as required by the Federal Rules of Appellate Procedure and Rule 3.4, Third Circuit Local Appellate Rules. Upon receipt of the document, kindly process it according to your Court's normal procedures.

Pursuant to Rule 3(a)(1), Federal Rules of Appellate Procedure, a notice of appeal must be filed with the Clerk of the District Court. This Court may not act on an appeal until the notice has been docketed in the District Court and certified to this Court by the District Court Clerk.

Thank you for your assistance in this matter.

Very truly yours,

Marcia M. Waldron, Clerk

By: /s/ Chiquita Dyer  
Legal Assistant

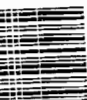
Enclosure

cc: Dennis L. Smith (w/out enclosure)

Donna Swain  
P.O. Box 3  
Seaside, Delaware



7007 0220 0001 0621 9679



19801



0000

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First Class Mail

RETURN RECEIPT  
REQUESTED

Mr. Robert D. Lee  
Office of the Clerk  
United States District Court  
244 N. King Street, Lock Box 16  
Wilmington, Delaware 19801-3510

RETURN RECEIPT  
REQUESTED